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A STUDY OF

Child and Youthful Marriages in New York County

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Women's city club of New York.
Committee on correction.

A Study of

Child and Youthful Marriages in New York County

Published by the

Women's City Club of New York

22 Park Avenue

1929

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This Study was made under the auspices of the Committee on Correction of the Women's City Club of New York

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FOREWORD

It is now universally recognized that making the family institution a success, especially in America, involves much more than was formerly thought. Divorce problems are not now considered the only problems, for at least as important is the prevention of certain marriages that will in all likelihood become failures. The failures that stand out most glaringly are those of the marriages of the very young, of girls between 14 and 18, and particularly of those between 14 and 16 years.

The Committee on Correction of the Women's City Club of New York has been interested in both child marriages and youthful marriages for several years. It has been active in helping to secure the improved legislation which we now have and it is anxious for still further improvement in the marriage laws. To that end it undertook early in 1928 to make a systematic study of child and youthful marriages in New York County, in order to discover just what the results of these marriages had been.*

Up to the time it began making this study there was no statistical information available for New York County excepting the bare fact that each year about 72 girls, all under 16 years of age, are dismissed from the public schools of New York City, because they have been married. The Committee on Correction of the Women's City Club undertook to discover something more than this one fact about child marriages in our country's greatest city. It employed a trained investigator, Miss Frances Perry, to study the public records systematically over a given period, and to make actual visits in the homes of as many child brides as possible.

The results of this study appear in the following pages. It is hoped that the facts and recommendations contained in this survey may help to call the attention of our citizens to the need of providing that, so far as possible, no marriage of a girl under 16 years of age should be entered into unless there is a reasonable prospect of success, in the opinion of a Judge of the Children's Court.

HELEN MONTAGUE, M. D.

Chairman of the Mental Clinic of the Children's Court of the City of New York

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* In 1926 and 1927 similar studies had been made elsewhere in the state. In 13 up-State counties the work was done by the State Charities Aid Association and the New York State League of Women Voters, and in Erie County by the Children's Aid Society.

See also "Child Marriages" by Mary E. Richmond and Fred S. Hall, published in 1925 by the Russell Sage Foundation; "Report of New York State Commission to Examine Laws Relating to Child Welfare, 1925," pages 15 to 21; and "School Girl Brides" by Sabina Marshall, published in 1926 by the Women's Protective Association of Cleveland.

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CHILD AND YOUTHFUL MARRIAGES IN NEW YORK COUNTY

I

The New York Child Marriage Laws

Prior to the year 1926 a girl might be married in New York State at the age of 12 if her parents gave their consent. Even this low minimum age, the lowest in the United States, and shared then by only 13 other States, appeared nowhere in the marriage law, but was the age established by common law, an inheritance of New York State from the laws of pagan Rome. Girls between 12 and 18 years of age were required to have their parents' consent before marriage.

In 1926 the minimum age in New York was raised to 14 for girls and 16 for boys. This was a slight gain, however, for the number of girls who wish to marry under 14 years of age is very small. The proposal of a minimum of 16 for both boys and girls had been rejected by the legislature. By contrast with the halting step of 1926 the legislature in 1927 passed a very important law, one that is in effect so far in no other state in the country. In an effort to prevent the falsification of ages which so largely nullifies child marriage laws today, the new New York law provides that if candidates for marriage licenses admit that they are under 21 years of age, or if they seem to the license issuer to be under that age, documentary proof of age must be submitted—either a birth certificate, a baptismal certificate, a passport, a life insurance policy, an employment certificate, a school record, an immigration record, a naturalization record or a court record. So far as it concerns girls this law was intended to prevent the marriage of two groups (1) those under 14 years of age whose parents might unite with them in swearing to the age of 14 or more, and thus evade the minimum age law; (2) girls between 14 and 18 years of age who wish to marry without their parents' consent and can do so only by swearing that they are 18 years old and so exempt from the law that requires parental consent to be given up to that age. One feature of the present study is its examination of the way this new proof of age law is being enforced. If well enforced the requirement will be of marked importance in making effective any higher minimum age which may ultimately be obtained.

In 1927, by another amendment to the marriage law, it was provided that when the contracting parties are under 21 years of age the ceremony may not be performed by the City Clerk or his deputies in the Marriage Chapel in the Municipal Building. Only religious celebrants may officiate in such cases, or judges of a court of record or of the Children's Court or the Mayor of the city.

II

How the Study Was Made

The investigation was limited to New York County and was along five different lines:

1. A record of the girls who admitted they were "child brides", namely, under 16 years of age, when they applied for their marriage licenses. This covered the years 1925 and 1926.

2. A record of the outcome of such marriages, gained by visits to the homes of the girls concerned, or by consulting records of social agencies to which they were known.

3. A record of 100 girls who alleged themselves to be from 16 to 20 years of age inclusive, when they applied for marriage licenses during January, 1927. The ages given, so far as possible, were compared with birth records in order to learn what proportion of these girls had given false ages to the marriage license clerk.

4. An examination of 78 licenses issued under the new proof of age law in 1928, to learn how well it was being enforced.

5. A record of the marriages annulled during 1925, 1926 and 1927, in so far as either the husband or wife was under 18 years at the time of their marriage.

III

Girls Who Admitted They Were Child Brides

By quite general agreement studies of child marriages are confined to the marriages of girls. Some boys marry young but the number is comparatively small. By general agreement, also, the term child marriages is applied to those which involve girls under 16 years of age, and youthful marriages to those involving girls over 16 but less than 18 years of age.

In all cities investigators are faced at the outset with the fact that many child and youthful marriages are not recorded as such on the records of marriage license bureaus. Wherever age falsification has occurred license records give a very misleading picture of the situation, child brides being recorded either as girls, 16 or 17 years old, or as adults, 18 years of age or over. It is impossible to distinguish these unrecorded instances of child marriages on the records, and the cases examined in this section are, therefore, limited to the admitted child brides.

All marriages in this group occurred with the consent of the girls' parents. For the years 1925 and 1926, 72,260 women and girls received marriage licenses, 75 of whom were recorded as under 16 years of age, distributed as follows:—

2 girls were 13 years of age
11 girls were 14 years of age
62 girls were 15 years of age

75 girls were under 16 years of age

Had the minimum age law of 1926, which took effect September first of that year, been in force during both 1925 and 1926 it would have prevented the marriage of the two 13-year-old girls. But the 73 girls of 14 or 15 would have been untouched by that law's provisions. And this large proportion of the brides who marry under 16 is still unprotected by the minimum age law of the state.

A characteristic of child marriages everywhere is the considerable number of much older husbands to whom the young brides are mated. These older men, ashamed to be recorded as marrying girls who are so young, frequently record themselves as much younger than they really are. But on the basis of their admitted ages there were among the 75 husbands of these child brides two men of 40, one of 32, three of 30 and two of 29.

Twelve of the 75 girls were foreign-born, and the 63 others were born in this country. There were 11 colored girls in the group, some

born in the West Indies and some American-born. The 12 foreign-born child brides came from the following countries:

4 girls from the West Indies
3 girls from Italy
2 girls from England
3 girls from Hungary, Austria or Spain

12 girls from foreign countries

The 63 girls born in this country were mostly, however, born of foreign or mixed parentage.

16 girls had parents born in the United States
35 girls had parents born in Italy
7 girls had parents born in other countries*
5 girls were of mixed parentage

63 girls were of foreign or mixed parentage

Four of the men whom these very young girls married were widowers, and one had had an earlier marriage annulled. Only 37 of the 75 marriages, slightly less than half, were solemnized by religious ceremonies. Statistics for all marriages contracted in New York County show, however, that nearly 70 per cent are solemnized by a clergyman, priest or rabbi.† This contrast with the prevailingly civil solemnization of the child marriages studied is significant. Taken as a whole, these different facts indicate the undesirable character of the alliances which the 75 child marriage records represent.

* Two in Poland, and one each in Ireland, France, West Indies, Germany and Austria.
† The figures are for 1921, the latest year for which they have been published.

IV

How These Marriages Turned Out

Are child marriages as unsuccessful as might be expected in view of their manifest handicaps? No satisfactory answer can be given to this question. Many disastrous outcomes are matters of record in courts and in the files of social agencies. But such records tell nothing of the successful child marriages. On the other hand, when an attempt is made to study all child marriages for a given period, in order to note their outcome, serious difficulties arise. Only one group of child marriages can be studied. Not only is this the group in which such marriages from general observation are most successful, but the only methods of inquiry which are possible as to the outcome are those which frequently fail to get a true picture of the situation. In spite of these recognized difficulties two methods were followed in an attempt to get some light on this important side of the problem: (1) visits were made to the homes, as far as possible, of the 75 girls who had admitted they were child brides and (2) an examination was made of all annulment records in which child and youthful brides were involved.

The first line of inquiry was hampered by the fact that New York families in the classes concerned move about so frequently. In spite of numerous visits made in an effort to trace these girls from one residence to another only 19 of the 75 could be found in the time allotted to this part of the study. These 19 stories will first be told in a few words and then a summary presented for the group.

1. Elaine* was 15 when she married, and now has two children. She and her husband, who is the superintendent of the building where they live, appear to be very contented. They have three rooms in the basement of the building. They were married in church, and both families were present at the ceremony.

2. Eva, a colored girl, married a widower when she was 15 years of age. Although her husband works and supports her she does day-work occasionally. Some woman who had "brought Eva up" was present at their wedding. They have no children.

3. The story of Pearl and Frank was gained through the girl's mother. The two young people ran away and lived together for some time. When they returned home Pearl told her mother that she had become pregnant, and her mother immediately took both of them to a court to be married. They were married willingly, however, and after

* All names of persons used in this study are fictitious.

the ceremony went to live with Frank's mother. After the birth of their child they moved to New Jersey where the girl became restless and began going out nights. Quarrels followed and Pearl finally left her husband and baby and no one seems to know where she is now. Her mother does not approve of her daughter's separation. Frank claims willingness to take his wife back if she will agree to good behaviour.

4. When Mercy was in 5B Grade she left this country for a visit to Italy. While there she ran away with Agatino and lived with him for several weeks. Then they came to the United States, and when Mercy's parents found out that she had been living with Agatino and was pregnant, they consented to a marriage. Mercy and Agatino have had two children and seem to be neither particularly happy nor unhappy. Their most serious problem is employment for Agatino. He is a plasterer by trade and has had no work for a long time.

5. Amy and Frederick were acquainted for about nine months before their marriage. In order to gain her mother's consent to the marriage Amy told her that she was pregnant. Both mothers assisted in arranging the marriage which was performed by a priest. After the wedding Amy confessed that she had invented the story of pregnancy. A baby girl was born about a year after the marriage. Frederick seems to be very fond of his wife and child and provides for them very well, but Amy is a rather pretty, spoiled girl and lets her temper make things unpleasant at times for her husband.

6. Rosina and Giorgio knew each other for some time before their marriage because they lived in the same building. On account of Rosina's mother's objections to Giorgio the couple went to New Jersey and were married by a city official there. When Rosina's mother learned of this she consented to the marriage but insisted that they be married again in New York by a priest. Rosina and Giorgio live in three rather small but well-kept rooms. She enjoys housework and thinks it is quite right for a girl to marry young if she has found the right man. At the time of the interview Giorgio had been out of work for some time. He is a machinist and able to support his wife well when he has employment.

7. Gertrude was 15 and Giovani 19 when they married. They had been acquainted for about nine months. Gertrude's family approved of the marriage but Giovani's family objected to Gertrude and said discourteous things about her. This made Gertrude's parents angry and caused them to revoke their consent to the marriage. Thereupon Gertrude and Giovani ran away and lived together. When Gertrude's parents learned of this they had Giovani arrested. After he had spent two days in the Tombs his parents gave their consent to his marriage in order to get him out of jail. Gertrude and Giovani are happy in their marriage. They have an apartment of three rooms, and Gertrude likes her housework. Two children have been born, and family life seems to run very smoothly in spite of the fact that Giovani's parents have so disapproved of Gertrude as never to have visited in their son's home even after the arrival of his children.

8. Anna and Fred, who were 15 and 22 years of age, respectively, thought themselves very much in love. When Anna's parents offered objections they ran away together. This had the usual result, and on their return Anna's mother and stepfather accompanied the young people to the Municipal Building and had a civil ceremony of marriage performed. Later there was a religious ceremony also. Anna's mother said that although she disapproved of her daughter marrying while she was so young, she did not want her "living in the streets". Anna and Fred are now living with Anna's mother. They have had two children, one of whom is being cared for on account of health at the Sea View Hospital. Fred has become rather lazy and does not contribute to the support of his family, while Anna has had her ardor for married life very much dampened. In fact she admits that she thinks she has made a mistake in marrying so young in life. Everything seems rather drab. For the first time in her life she is having to work, and she gets very little pay. She was in 7B grade when she married. She hated her school but wishes now she had not left it. Her dress appeared to be nothing more than a cotton nightgown. Outside of working hours she helps her mother with the housework, cares for her baby and tries to induce her husband to find work.

9. The marriage of Marguerite and George was arranged by the girl's father. He had known George from the time the latter landed in this country; he had taught him his trade as a builder and knew him for a good fellow. Accordingly he picked him out for his daughter's husband. Marguerite had known George for about a year and a half before their marriage. Although she did not pretend to love him, she did not question her father's decision, or his wisdom in selecting George for her husband, even though it forced her at the age of 15 to drop out from a continuation school, which she very much enjoyed. George has provided Marguerite with a three-room apartment and gives her plenty of spending money. She enjoys housekeeping and is very well satisfied with her life. They have no children.

10. Isobel could not get parental consent for her marriage with Arnold, so she eloped with him. Her parents then gave their approval. She was pregnant at the time of her marriage and a child has since been born. Arnold has shown little disposition to support his family. In fact Isobel has had him brought into court in an effort to make him provide for her and the baby, but he has had no money with which to do so. At the time of the interview she said he had not worked for several months and that she had separated from him on several occasions on that account. Isobel looked dowdy and rather ugly. Her apartment, which consisted of three rooms, was none too clean and this, added to the fact that she buys most of her food at a delicatessen store, would seem to indicate that she does not care for housekeeping. This may have much to do with her husband's lack of interest in his home and family.

11. Leonard and Dora were married when they were 20 and 15 years old respectively. When they are at home they live with his mother,

but most of the time they are on the road in a vaudeville sketch. The following story gives the circumstances of their marriage, as obtained from Leonard's mother: Leonard had graduated from High School and Dora had had two years there when he attacked her and committed rape. When her parents learned of his act they had him arrested and taken to the Children's Court. Their charge was withdrawn, however, when Leonard agreed to marry their daughter. His mother said that the fault had been with the girl's parents in allowing their daughter too much freedom. She likes the girl very much and states that she and Leonard are getting along well together.

12. The available facts are very few concerning the marriage of Pansy and Maurice, who are 14 and 22 years of age respectively. Evidently Maurice was one of four men taken to court because of intercourse with Pansy. Three of these men were imprisoned for three days but Maurice was allowed instead to marry Pansy. Maurice's mother claims that she arranged for the marriage because she felt sorry for the girl. She asserts that she did everything she could to make her happy, bought her pretty clothes, gave her household furnishings, etc., but without success. Pansy and Maurice never lived together as man and wife and she soon sued for an annulment of her marriage. Pansy herself could not be found. Maurice's mother has heard that she is running around with another man.

13. Sadie met Gilbert about 5 months before she married him. Her parents disapproved of the marriage because Sadie was so young, but they did not want the neighbors to talk about her so they agreed, and a civil ceremony was performed. She was 13 years old at the time, but looked much older, and Gilbert was 25. They had been married for one year before they had a religious ceremony or began living together. Since then Gilbert has often been intoxicated, he keeps bad company and is cruel to Sadie. She has left him on several occasions and once appealed to the Legal Aid Society for help in getting an annulment of her marriage. She was discouraged as to that, however, because of the cost it involved. She has now taken her husband back for final trial of good behaviour. Sadie works as a bookkeeper for a small electrical shop and her husband is a tailor.

14. Irma was 14 years old when she married and Ferdinand was 25. Her mother disapproved of her marrying a man so much older than she was and one of such different religious training. She tried to prevent the marriage, therefore, but finally capitulated. Apparently the young people are very happy together. Ferdinand is a painter, earns good money and is very generous with it as far as his wife is concerned. They make their home with Irma's mother, Irma helping with the housework. She goes to the Catholic Church and Ferdinand to a Protestant Church. They have no children.

15. Fern and Timothy had had sex relations, and Fern was pregnant before their marriage. After their marriage Fern's father let them have the upper part of his two-story home for about half the price he had

been receiving for it and helped Timothy get a good position. Timothy, however, was badly affected by these comfortable circumstances and instead of working he dressed himself in fine clothes and stood about the street corners or pool rooms. Fern found herself unsupported and neglected and appealed to the court, with the result that Timothy was sentenced to five weeks in prison. Then Fern's sympathy got the better of her and she obtained his release, only to find him as bad as before. Now she is separated from him and is working to get enough money to start annulment proceedings.

16. Verna's family had Alfred taken to the Children's Court because of sex relations with the girl. He did not want to marry her because he had no affection for her and could not support her. However, he eventually consented to the marriage. Verna was 14 years of age at the time and he was 15. Both are colored. Verna was in Junior High School. After the marriage they lived with Alfred's mother and he went to work. He earns about $25.00 per week operating an electric saw; he pays his mother $6.00 per week for their room and Verna helps with the housework. They have had two children, both of whom are healthy.

17. A colored couple, Elise who was 15 years old and Durand who was 21, had sex relations and then married without any outside influence. They have had two children and are expecting another soon. They live with four other people in six very messy rooms. Elise appears lazy and seems to have a very ugly disposition. Her husband gives her money when he has it, but he has been out of work for some time and their relations are none too pleasant.

18. Alice and Harmon were 15 and 20 years old when they married. Little information was obtained concerning them as they are now living in California. Apparently Alice's relatives are well-to-do for they live in an expensive, well-kept home and Alice's mother has gone to California to be with her daughter when her second child arrives.

19. One morning as Ruby was leaving her apartment house to go to work she was dragged into Tom's apartment and attacked by him. She had known him about four months and rather liked him. When she told her relatives what had happened they sought to arrest him but he had run away. For about two weeks they watched for him and finally caught him as he was slipping into his apartment. He was sent to the Tombs for two weeks to await disposition of the case. In order to get out he married Ruby. Their one child is in need of medical attention most of the time. Ruby finds herself very much neglected and mistreated by Tom, who spends most of his time with a wild crowd of men and women. When he comes home, which is usually about four o'clock in the morning, he vents his bad temper on her, beating her and calling her vile names. He gives her very little money and she lives in dread of being put out upon the street.

Out of the 19 marriages here recorded over one-third must be called unsuccessful.* Some of them were completely so. Although an annulment had been sued for in but one case (No. 12) application for annulment was definitely planned in another (No. 15) and plans for legal proceedings had been abandoned in a third case (No. 13) only because of the cost. Separation and disillusionment appear in several of the records, and serious abuse in one (No. 19).

On the other hand, for the benefit of those who may be surprised that nearly two-thirds of the marriages appear to be successful, several facts need to be stated. In the first place, no one familiar with child marriage conditions has asserted that such marriages regularly fail. In fact, recognition that it may sometimes be wise to allow child marriages is embodied in almost all proposals for laws on this subject. Thus the child marriage bill supported in the New York Legislature for several years has provided that marriage licenses may be issued to girls between 14 and 16 if the judge of a Children's Court, or some other specified court, issues an order to that effect. Such judges, following the practice in other states, would probably allow girls under 16 to marry whenever, after a full examination of the circumstances, there seems to be reasonable basis for a successful outcome. But for cases where all known facts point to probable failure judicial consent would be refused, or at least should be refused.

In the second place, it must be recalled that the 19 marriages which it was possible to investigate are in some respects more likely to have had a successful outcome than the much larger number of child marriages about which nothing is known. It may not be true that the 56 girls whose present homes the Club's investigator could not find, or did not visit, are a less stable group than the 19 with whom or about whom interviews were obtained, but it certainly is true that the large number of child brides, unrecorded here, who obtained their licenses without parental consent, through false assertions that they were 18 years of age, are a group which started their married lives under a greater handicap than the 19 girls here described, each of whom had her parents' consent either from the start, or had it given eventually before the marriage occurred. With a stake in the marriage which their consent involves parents are more likely to do everything in their power to make the marriage a success. This, according to a recent investigation in Cleveland, is particularly true of marriages that are "ar-

* Numbers 3, 8, 10, 12, 13, 15 and 19.

ranged" by Italian or other foreign parents for their daughters.* An example of such a marriage, and a conspicuously successful one, is No. 9 in the preceding group.

A third fact to be kept in mind is that these stories include only such facts as the girls or their parents were willing to tell to a stranger who called at their door, or such facts as it was possible for the investigator to observe. There is naturally greater reluctance by those interviewed to admit the humiliating facts that picture an unsuccessful marriage than there is to tell a story of complete martial harmony.

It must be remembered, finally, that these girls, or their parents, were interviewed only two and one-half years, on the average, after marriage. Official records show that over 78 per cent of this country's divorces take place later than that in the course of married life.†

* See "School Girl Brides", already referred to, p. 36.
† U. S. Census: "Marriage and Divorce, 1923", p. 22.

V

The Extent of Age Falsification

As already pointed out, the proof of age requirement adopted in 1927 should prevent a large part, if not all, of the age falsification by means of which many child brides have been able to marry without being recorded as such at the Municipal Building. It seemed worth while, however, to make a test on a small scale in order to determine how extensively age falsification had been practiced under the old law. For that purpose a record was made of the first 100 girls over 16 years of age and under 21, who received marriage licenses during January, 1927. This was before the law of 1927 had taken effect. In the limited time given to this minor feature of the study it was possible to verify the ages of only those who had been born in New York City. Birth records could not be found for all of these, and the number of verifications finally narrowed down to 20. Nine of these girls had given correct ages in their applications, and 11, more than half of the total, had overstated their ages. These 11 cases were as follows:

1 girl of 13	was recorded	as	19	years	of age
1 girl of 14	was "	"	17	"	" "
1 girl of 15	was "	"	17	"	" "
2 girls of 16	were "	"	20	"	" "
1 girl of 17	was "	"	19	"	" "
2 girls of 18	were "	"	19	"	" "
2 girls of 18	were "	"	20	"	" "
1 girl of 19	was "	"	20	"	" "

11 girls were recorded as 17 to 20 inclusive

Some of the falsification here recorded was for no apparent purpose, but there were four cases where girls, required by law to have parental consent, had evaded that requirement by means of the false ages given. Furthermore, the first three girls on the list were actually child brides, but they did not appear as such on the records.

Because the 20 cases where ages were verified constitute so small a group it is quite unsafe to conclude that the proportion of unrecorded child brides there shown—over one-seventh, or 3 out of the 20 girls recorded as over 16 years of age and under 20—holds true of the more than 21,000 girls of these alleged ages who married during the two years studied.* The test does indicate, however, that the 75 recorded child brides of the two years are only a minor part of the total that would be revealed had the true ages been given for all these 21,000 girls.

* No figures are available for New York City showing the ages of persons who have married. The figure here used is an estimate based on statistics of the New York State Health Department for the State outside of New York City. In that area 30 per cent of the women and girls who married were over 16 years old and under 20. That per cent, applied to the 72,260 girls and women who married in New York County in the two-year period, gives approximately 21,000.

VI

How the New Proof of Age Law Is Enforced

In order to note how well the new law as to proof of age is being enforced, two examinations were made of licenses issued after that law had taken effect. Out of the 58 licenses issued during January, 1928, to girls whose ages were given as over 16 and under 21 years, there were 30 cases where the documentary evidence of age specified by law was produced, and 28 in which licenses were granted on the strength of affidavits as to age, sworn to by relatives. Thus the requirements of the law were carried out in only a little more than half of the cases. Two months later, however, the situation showed much improvement. Of the 16 records examined for March, 1928, the specified documentary evidence of age was produced in all cases but one.

VII

The Results of Child and Youthful Marriages As Shown in Annulment Records

Child brides are probably more widely known through annulment cases in which they figure than in any other way, for where annulments are applied for or granted the girls' stories often appear in newspapers. In March, 1925, Supreme Court Justice John M. Tierney, impressed with the recurring cases of annulment in which child marriage was involved, made the following charge to the Bronx County Grand Jury:

> " . . . This has become such an abuse that I am now instructing the District Attorney of this County to present this matter to you for thorough investigation with a view of discovering some means of eradicating this evil influence upon our body politic, and so far as our County is concerned, at least, to put an end to this scandalous condition."

The evidence collected in Bronx County, as a result of this charge, suggested that a more comprehensive study be made of annulments granted in New York County to girls who were under 18 years of age at the time of their marriage.

By the laws of New York any girl who marries under the age of 18, even if she marries with complete legality, may have her marriage annulled. Formerly the mere fact that she had married under 18 was sufficient for the annulment. If that fact were established the court was obliged to grant the application. Many judges complained of this strange regulation, and in 1922 the law was changed. Judges may now consider all the circumstances in the cases, and may refuse or grant the annulments applied for, as they think best.

For the years 1925, 1926 and 1927, 98 annulment applications were recorded in New York County which involved girls under 18 years of age at the time of their marriage. Of these applications 83 were granted and only 2 refused. The remaining 13 applications had been withdrawn or had not yet been heard when the study was made. These 98 applications will be considered in two groups: (1) those which represent child marriages and (2) those in which youthful marriages are involved.

1. Child Marriage Annulments

The child marriage annulment applications numbered 24. One girl was 13 years old, 5 were 14 and 18 were 15. In obtaining their marriage licenses 13 of these 24 child brides had falsified their ages

by from three to six years. The extreme case was a 15-year-old girl who had received a license on her assertion that she was 21 years old. The difference in ages between brides and grooms that was noted in the case of many of the admitted child brides appears also in this group, but here the disparity of ages is not so marked.

Possibly the most significant information shown on the applications studied is the length of time these girls had known their husbands before they married. This was as follows:

Number of Girls	*How long they had known their husbands before marriage*
1	A few hours
2	One day
1	Two days
2	A few days
1	Two weeks
1	Three weeks
2	One month
3	Two months
1	A few months
1	Six months
1	Eight months
1	Twelve months
2	A short time
5	No record
24	

The short period that each girl lived with her husband after marriage is also startling. The figures are as follows:

Number of Girls	*How long they lived with their husbands after marriage*
9	None at all
1	One day
1	Two or three days
1	Two weeks
3	Two months
1	Two and one half months
1	Five months
1	Six months
2	One year
1	One and one half years
3	Two years
24	

Of the 9 girls who never lived with their husbands after marriage 5 returned immediately after the ceremony to their parents' homes.

Only 7 of the 24 girls, after over a year's married life, had given birth to children. The fact that in only 3 of these 7 cases the children were born within 6 months of the marriage suggests that forced marriages did not constitute a large proportion.

Figures were also gathered as to the time that elapsed after each marriage before application was made for annulment. These are as follows:

Number of Girls	*How long after marriage before application was made for annulment*
1	Six days
1	One month
1	One and one half months
3	Three months
1	Six months
2	Ten months
1	Eleven months
2	Twelve months
1	Eighteen months
1	Two years
2	Three years
2	Four years
3	Five years
2	Six years
1	Seven years
24	

This table, in comparison with the preceding one, shows that in most cases annulment proceedings were not started until quite some time after the husband and wife had ceased to live together. The reason given for this delay was the expense of the legal proceedings. In many cases the girls had to earn the necessary money before filing their applications.

The grounds for annulment given in the 24 applications were always "nonage" (under the age of 18) but in 17 cases additional complaints were added, this fact showing that as a result of the amendment of 1922 some judges were usually demanding further ground for annulment than merely nonage. The figures were as follows:

Grounds on which Annulment was applied for	*Number of Girls*
Nonage alone	7
Nonage and no cohabitation	5
" " desertion and no cohabitation	3
" " fraud	3
" " cruelty and no cohabitation	2
" " non-support	2
" " coercion	1
" " duress	1
	24

Although these were the legal grounds on which the annulments were requested, the following contributing factors were found to have influenced decisions:

Contributing Factors	*Number of Girls*
Criminal record of the husband	2
Husband in penitentiary	1
Parents obtained a husband for their daughter through a marriage broker	2
Husband drank, called his wife obscene names and beat her	1
Husband and wife were married on dare	1
Parents forced the two to marry after an elopement	2
The marriage was in order to legitimatize offspring	2
Husband forced his wife to work and appropriated all her wages	1
Husband forced the girl to marry him by threatening to kill her	1
	13

In 16 of the 24 cases no parental consent was had, the girls having falsified their ages.

2. Youthful Marriage Annulments

The 74 annulment petitions which involved youthful marriages will be more briefly described. All of the 68 girls and 6 boys involved were 16 or 17 years old when they married. Falsification of ages was common, as in the child marriage cases, true ages having been given in only 18 of the 56 cases. Slight acquaintance is again shown. Out of 38 records in which this item appears, 14 pairs had known each other two weeks or less before their marriage. In one case the two had "just met". In another the acquaintance had been for one day only, and in three cases there had been merely a two days' acquaintance. Like those involved in child marriages most of these youthful brides and grooms separated soon after the marriage. Of the 74 there were 28 who never lived together at all, 4 remained together for one day,

2 for two or three days and so on. Applications for annulment were, however, somewhat more delayed, and financial reasons for this were again alleged in most of the cases. In a number of instances, however, parents stated that they had delayed legal proceedings hoping that the young people might be able to adjust their difficulties. The alleged grounds for annulment given by the petitioners present a significant picture of the situations:

Grounds on which Annulment was Applied for	*Applications*
Nonage alone	19
Nonage and no cohabitation	29
" " no cohabitation and cruelty	2
" " abuse and no cohabitation	1
" " duress and no cohabitation	1
" " fraud as to the girl's chastity	3
" " fraud as to the husband's physical condition	2
" " fraud and no cohabitation	4
" " fraud, duress and no cohabitation	1
" " duress	2
" " fraud as to religion	2
" " cruelty and non support	1
" " cruelty	1
" " duress and desertion	1
" " misrepresentation	2
" " the fact that a former wife was living	2
" " ignorance concerning married life	1
	74

"No cohabitation", as that term is used in this table and in the second table preceding it, refers to the fact that in none of these cases where "cohabitation" is used as one of the grounds in which annulment is sought did the wife after 18 years of age have sex relations with her husband or did the husband after 21 years of age have sex relations with his wife, these ages being the ages below which parental consent must be secured in obtaining a marriage license. As a matter of fact, however, there were 28 cases out of the 74 where there had been no cohabitation whatever after the marriage ceremony. In such cases, at least, it must be concluded that there had been no real intention to contract a marriage.

Of the 74 cases there were but 9 in which it is definitely shown that the girl was pregnant before her marriage. In three others there is record of previous sex relations and in still others there are indication that such relations may have existed. The small proportion of instances of this type is quite contrary to the impression many people have as to child and youthful marriages.

Quite as significant as the alleged legal grounds for annulment are the contributing factors brought out in certain cases:

Contributing Factors	*Applications*
Cruelty	7
Desertion	7
Non-support	9
Infidelity	4
Criminal record	6
Marriage was contracted on a dare	2
Married as a joke	1
Husband was a bigamist	4
Husband had forged the date on his prospective wife's birth certificate	1
Girl had married because her prospective husband had threatened to kill her	1
Husband was a drug addict	3
Husband was a gambler	1
Husband was intoxicated	3
Husband had gonorrhea	3
Wife was a prostitute	1
Wife was an epileptic	1
Wife deserted her husband for no reason	6
Wife's parents interfered	3
Total	63

In the limited space here available it is not possible to tell all the stories of these 98 unfortunate alliances. Selection has therefore been made of typical cases. These are as follows:

3. Stories Obtained from the Annulment Records of Child Marriages

(1) A girl of 15 years had known a boy of 19 years about 6 weeks when she married him without the consent of her parents. After the ceremony they separated, she going to the movies with a girl friend with whom she spent the afternoon and night. The next day she told the boy in the presence of her mother that she desired to have the marriage annulled, and the boy offered no objections.

(2) A girl's parents deceived the prospective groom by telling him that their daughter was 17 years old when she was barely 14. They refused to allow the girl to stay with her husband after the marriage ceremony, and the groom discovering her real age, applied for an annulment of the marriage on the ground of nonage and fraud.

(3) Grace, who was 14 years old and gave her age as 15, ran away to Connecticut with Martin, who was 24 years old. They lived together for about a month before their relatives brought them back to be married. Grace's father gave his consent to his daughter's marriage

because he wanted to save her reputation. After living with his bride for about a year and nine months, Martin ran away. He left word that he had never been happy since their marriage. The annulment was granted because of nonage.

(4) In the case of Florence, who was 15 years old, and Peter, who was 20, the girl's mother not only gave her consent but practically arranged the entire affair. She thought Peter was a good fellow and wanted her daughter to marry him, although Florence herself had never cared for him. After the marriage he treated her in a very cruel manner, striking her frequently. Annulment was granted because of Florence's nonage.

(5) When Marian, 15 years old, married Otto who was 21 years old, it was because Marian's mother did not want to be disgraced before her neighbors on account of her daughter's actions. Marian and Otto, who were the persons most affected, were able to stand married life just two or three days. Then they separated, and annulment was granted on the ground of nonage of the girl.

(6) A 16-year-old girl applied for annulment eight months after her marriage. She had been seduced by the man she married and was about to become a mother. The man had been arrested on a charge of rape and married her to escape imprisonment. The girl's purpose in the marriage was "to give her child a name". She had not lived with her husband since marriage; she related that he had been imprisoned for six months on account of vagrancy. The annulment was granted.

(7) Patsy was 15 years old when she escaped from her poor country home by marrying Richard, a man 23 years of age and a follower of carnivals and circuses. He took advantage of her youth and inexperience to make her work and support him. When she realized what she was being made to do she left her husband and after several years managed to save enough money to get an annulment of her marriage on the ground of nonage.

(8) Alva ran away from home and lived with George when she was 14 years old. At that time she was taken from him and placed in an institution because of her conduct. About a year later, when she was permitted to leave the institution for a short time to attend her sister's wedding, she ran away again with George. This time they lived together for two weeks and he then induced her to marry him. Officers finally found them and took them to the police station. Alva was tried and sent back to the institution and her husband allowed to go free. Her marriage was annulled on the ground of her age and because she had not voluntarily contracted marriage.

(9) A friend brought Norton to a house party in Loraine's home where she met him for the first time. About ten days later she met him again on the street and he accompanied her for several blocks on her walk. The next day she saw him again as she was leaving school. She was crying because she had had trouble with the Dean. He had threat-

ened to complain to her father because she had been absent from school. When Norton learned of her trouble, he suggested that if she liked him they could get married and that would end her school difficulties. Loraine was so much upset over her school affairs that she consented. She spent the night in Norton's apartment and married him the next morning, giving her age as 18 to the marriage license clerk. After the marriage she became afraid of what she had done and telephoned her mother and asked if she might come home. Her mother told her to do so immediately. Annulment of the marriage was granted Loraine because she was not of age at the time it occurred.

4. Stories Obtained from the Annulment Records of Youthful Marriages

(1) The father of Josephine testified when he attempted to secure his daughter's annulment that he had given permission for the marriage of his daughter as he had not known what else to do. He had been told by his daughter, and by the man whom she wished to marry, that they would go to Jersey City and marry, if his consent were not given. The girl had been troublesome for several years and he felt that it would be a solution of the problem. The man asserted that he earned from $65 to $90 per week, and it was learned later he earned only $25 per week. The bank-book he had displayed was his brother's and not his own. The annulment was granted on the ground of nonage, Josephine being 17 years old, and on the further ground that the marriage was induced by fraud.

(2) Tom stated that Mary and her parents had called at his house several times and told him and his mother that he was the father of her expected child, and they wanted him to marry her. He and his mother had always refused to consider it. He was then lured to the girl's house and there told that if he still refused to marry her he would be arrested. On his continued refusal the family conducted him to the Municipal Building, provided him with a license, and forced him to marry the girl. She was 17 years old. Tom stated that he was a high school student, 17 years of age, and was not employed. The annulment was granted because of nonage and fraud.

(3) In applying for the annulment of Paul and Florence, the mother of Florence stated that she was present at her daughter's ceremony and gave her consent, thinking that it was a good marriage. The father knew of the marriage and offered no objections. The girl at that time was 16 years old. After the marriage, Florence lived with her husband and worked in a five and ten cent store. The marriage lasted for about six months. Florence stated that she had never loved her husband, that her mother was the real instigator of the marriage, and that her husband had behaved in a cruel and brutal fashion to her. The marriage was annulled for nonage.

(4) Elizabeth testified during her annulment proceedings that she had met Hyman at a dance and that he had fallen in love with her. She was 17 years old. He came to her house the next day and told her father in writing that he wished to marry her. He insisted on marrying her at once, fearing that someone else would get her. Her parents then consented. The girl agreed to marry him with the understanding that she would continue to live with her mother and he at his own home in order that they might save money with which he could go into business. Later, she found out that her husband never worked. He also refused her request to have a second ceremony performed according to the Jewish religion. The annulment was granted because of nonage and fraud.

(5) Isabelle was 16½ years old when she married. Her mother testified that she had known Henry for about a year and a half before her daughter had married him, and she thought the marriage would be a wise step. Isabelle asserted that she knew Henry had a bad reputation, that she had seen him hanging around the streets and not working, but that he had won her over by saying that he had a good job. Three days after her marriage she learned from neighbors that her husband had been married before and had also been in prison. When he admitted to her that both statements were true, she left him. The annulment was granted for nonage and fraud.

(6) Estelle was 17 years old when she married Louis. He was an elevator operator and represented himself to her as honest, respectable, in good physical condition and able to support her. Her parents were present at the ceremony and gave their consent. They testified that they felt it was safer to marry her off as she was always running about. Three months after the marriage she found she had contracted a venereal disease from her husband. The annulment was granted on account of nonage and fraud.

(7) When Constance was 17 years old she married a man who apparently tired of her very soon. After about six or seven weeks of married life he induced her to go on a ten-day trip with some of her friends, and took advantage of this opportunity to pack up all of his possessions and disappear from the home. He offered no objections to the annulment proceedings when papers were served upon him, and the annulment was granted because Constance was under 18 at the time of her marriage.

(8) Lucy's parents, who were Jewish, moved from New York City when she was about 17 years old and left her to live in a Home for Girls in New York City. A girl at the home introduced her to a Gentile man and after two months acquaintance she married him without informing her parents. When the latter learned of her marriage they were very angry and refused to have anything more to do with her, alleging that she had disregarded the Jewish religion in marrying a Gentile. Lucy's husband proved to be worthless, drank a great deal and so neglected her that she left him before she was 18 years of age and sought an an-

nulment of her marriage. During the annulment hearing a social worker told of the fanatically religious home life in which Lucy had been brought up, blaming the harsh restrictions her father imposed upon her for her quick acceptance of a marriage which seemed to offer relief. In granting the annulment on the ground of nonage the Justice declared that it is unfortunate that young people marry on such slight acquaintance, or without the knowledge or consent of their parents, or apparently without consulting anyone before reaching their decision.

(9) Evelyn became acquainted with Fritz by correspondence. She was in Hungary and he in America. He had represented himself to be a single man. When she came to this country at the age of 17, unfamiliar with its customs, unable to speak the English language, she was met at Ellis Island by Fritz and told that unless she married him the authorities would deport her. She had come within the quota and was entitled to enter the country, but as she did not know this and had no one to appeal to for advice, she was obliged to believe Fritz and consented to a marriage with him. After the marriage she found that he had a wife from whom he was not divorced, and a child. Annulment of her marriage was granted because she had been under 18 at the time of her marriage, and also because she was induced to enter into it by fraud and deceit.

(10) About five months after her marriage, Elaine, who was 16 years old, learned that her husband was a drug addict. After living with him for about a year and a half she knew she could not stand the life any longer, so she left him. Her one child had reached the age of 10 years before Elaine had saved sufficient money to bring action for the annulment of her marriage. The annulment was granted her on the ground of nonage.

(11) The first time Hattie and Dan met each other they decided, along with two others, to get married as a joke. After being refused a marriage license at Greenwich, Connecticut, because they had not applied for it at least five days previously, they proceeded to Portchester, New York, where they stated that they were residents of East Orange, by that means evading the New York law which requires that if the prospective bride is a resident of the state the license must be issued in the city or town where she resides. Hattie who was 16, stated that her age was 19 and signed a false name, thinking that this would make the ceremony illegal. When annulment proceedings were started Dan offered no objections for he too regarded the marriage as a joke. The annulment was granted because of Hattie's age.

(12) Annette, who was born in Turkey, married John, a native of Greece, without the knowledge of her parents, when she was 17 years old. In obtaining her marriage license she gave her age as 20 because John had informed her they couldn't get married if it were known that she was under 18. John, she said, had represented himself to be only

35 years old, whereas he was 50 or more. They lived together for 28 days at a shop which John conducted for the sale of candies. Her parents visited them. At the end of that period Annette left her husband. She testified that "he was old and I was young and he had me work for him and treated me badly; he treated me like a slave".

(13) A girl of 16 married a boy of 20 and lived with him for two months after their marriage, when she left him because of cruelty, and went back to live with her mother. A child was born about five months later. Her mother, being sorry for her, started proceedings for annulment. The boy did not contest the case.

(14) When her mother started proceedings for the annulment of her 17-year-old daughter's marriage the latter was greatly upset, in spite of the fact that her husband had a criminal record and was serving a term at Sing Sing during the hearing of the case. According to her mother, the daughter had been led by the man to believe that he had a good character. The daughter, she said, had always been good and obedient, with high ideals of living, but her husband had acquired an uncanny influence over her that was bad. Along with his other misrepresentations he had claimed that he was 24 years old when he was really 28. Additional reasons alleged in the application were the fact that the man was a heavy and habitual drinker of intoxicating liquors, and the difference in their religious views, the husband being a Roman Catholic and the wife an Episcopalian. The annulment was granted.

VIII

Conclusions

From a study of the facts and figures presented in the preceding pages the conclusion is irresistible that in connection with this most vital problem of marriage the State of New York is still amazingly negligent of the welfare of its young people.

Whether girls of 14 or 15 shall marry or not is a matter which is left almost entirely to their parents. Many of the marriages at such ages, as shown both by our investigator's visits in the homes of the young people and by the annulment records studied, end in disaster. Though most parents have the interests of their children at heart, many have proved themselves to be very unwise guardians. Through ignorance, selfishness, or inability to control the situation, they give consent to the proposed marriages, or they even urge their unwilling children to take the step.

With the exception of those whose parents have come from Southern Europe, these girls are physically immature and in no condition to stand the strain of wifehood and motherhood. They are usually restless young people who chafe under the monotony of their lives, they are poor students at school, and are anxious to escape from its boredom. They have no desire to work or interest in it, and married life appears as a condition where perfect freedom awaits them.

Because such girls lack the protection of intelligent and far-seeing parents, should not the State intervene, and by legal measures offer them its protection? In other words, should not additional approval, for so serious a step as marriage, be required from outsiders who have no selfish interest in the matter? Such persons, as representatives of the state, can view the problem in an unprejudiced manner and obtain for these needy young people a fair chance for happiness and success in married life. It would seem, therefore, that a wise amendment to the existing New York law would be one requiring that in addition to parents' permission for the marriage of these fourteen or fifteen-year-old girls, permission be also obtained from a Judge of the Children's Court.

One further amendment to the existing law is clearly shown by the preceding annulment cases to be needed. It is the law, already in force in both of the states adjacent to New York, which requires

a period of delay, preferably of five days, between the application for a marriage license and its issuance. The experience of other states has demonstrated that there is no necessity for New York to expose its young people any longer to the dangers which appear in many of the stories and figures presented in the preceding pages. Marriages on a dare, marriages performed as a jest, and marriages contracted after an acquaintance of a few hours, or of one or two days, reflect no credit upon the State of New York. In the annulment cases examined it was noted, moreover, that among the 74 girls represented there were many who came from New Jersey and Connecticut, doing so presumably to escape the advance notice laws of those States. Thus New York, by the laxness of its laws, not only fails to protect its own residents from the dangers of hasty marriages; it breaks down in many cases the progressive laws which adjoining states have passed.

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